

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

IN RE PHARMACEUTICAL INDUSTRY)	
AVERAGE WHOLESALE PRICE)	MDL NO. 1456
LITIGATION)	
)	ACTION: 01-CV-12257-PBS
)	
THIS DOCUMENT RELATES TO:)	JUDGE PATTI B. SARIS
)	
THE MASTER CONSOLIDATED)	
CLASS ACTION)	

**NOTICE OF BOEHRINGER INGELHEIM CORPORATION'S, BEN VENUE
LABORATORIES, INC.'S AND BEDFORD LABORATORIES' INTENT TO FILE A
RESPONSE TO PLAINTIFFS' MOTION TO SUBSTITUTE
BOEHRINGER INGELHEIM PHARMACEUTICALS, INC. FOR BOEHRINGER
INGELHEIM CORPORATION**

On April 27, 2004, Plaintiffs filed and served a "Motion to Substitute Proper Party
Boehringer Ingelheim Pharmaceuticals, Inc. for Boehringer Ingelheim Corporation and Response
In Opposition to Boehringer Defendants' Motion to Dismiss."

Defendants Boehringer Ingelheim Corporation, Ben Venue Laboratories, Inc. and
Bedford Laboratories respectfully file this notice that they intend to respond to Plaintiffs' motion
within the time period permitted by Local Rule 7.1.

Dated: April 28, 2004

Respectfully submitted,

/s/ Darrell A.H. Miller [signature on file with Court]

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CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing document was served on all enrolled counsel via Verilaw on April 28, 2004 pursuant to this Court's Case Management Order 2.

/s/ Darrell A.H. Miller [signature on file with Court]
Darrell A.H. Miller